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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF APPEALS AND INTERFERENCES

Application No. : 10/518,545 Confirmation No.: 9542
Applicant : Eugenio Ferreira Da Silva Neto
Filed : January 3, 2005
Title : METHOD PROVIDING PROTECTION FROM
: UNAUTHORIZED ACCESS TO A FIELD DEVICE USED
: IN PROCESS AUTOMATION TECHNOLOGY
TC/A.U. : 2431
Examiner : B.F. Wright
Docket No. : DASI3002 /FJD
Customer No. : 23364

REPLY BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22202-3514

Sir:

INTRODUCTORY COMMENTS

Pursuant to the provisions of 37 CFR 41.41, submitted herewith is
Applicant/Appellant's Reply Brief on Appeal.

EXAMINER'S ANSWER

In his Answer the Examiner refers to a passage of Appellant found on page 2 of Appellant's Brief, and relates it to certain paragraphs in Gillen, as support for his rejection of claim 12. Clarification as noted below is requested.

REPLY

(1)

On page 9 of the Examiner's Answer, the examiner refers us to Appellant's passage appearing on page 2 of Appellant's Brief, and proceeds to discuss this passage in several parts. That part of the passage that states: "...It was emphasized that Gillen does not teach a field device connected over a data bus with a remote control unit with the field device comprising at least one function block with defined communications interfaces," was addressed as follows:

Examiner respectfully submits Appellant discloses that a function block is a programmable/configurable means to determine/govern the behavior of a field device.

Referring us to "Appellant's paragraph 25." But paragraph 25 does not, it is respectfully submitted, support what the examiner is concluding. Clarification is requested.

(2)

Then the examiner states on page 10 of the Examiner's Answer:

Gillen discloses using a "control unit" (e.g., function block) operable to run on a device for the purpose of rendering that device operational in a prescribed manner.

Referring us to paragraphs 27 and 28 of Gillen. But paragraphs 27 and 28 of Gillen are rather detailed, and it is not clear where in paragraphs 27 and 28 one finds a meaning for the examiners assertion that "...device operational in a prescribed manner " is found. Clarification is requested.

(3)


Then that portion of the passage which states: "...a field device connected over a data bus with a remote control unit with the field device," was addressed as follows:

The Examiner notes that Gillen discloses that the "control unit" possess the capability to communicate via a data-bus communication line.

Referring us again to paragraph 27. Paragraph 27 does refer to a data bus connection with a "control center." The control center and the control unit are not necessarily equivalent. Clarification is requested.

Once clarification is received (hopefully in the form of a further Examiner's Answer), a more detailed reply can be filed

Respectfully submitted,


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Reg. No. 25,721

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